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-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

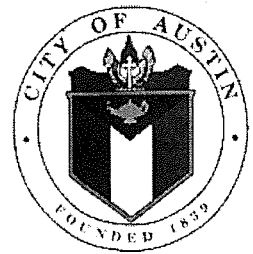
NOTIFICATIONS

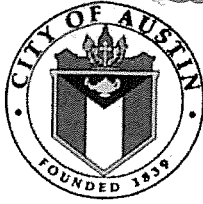
CASE#: C15-2016-0033
LOCATION: 1205 Richcreek Rd.

1" = 174'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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Special Exception

CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

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Board of Adjustment General/Parking Variance Application

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

For Office Use Only

Case # C15-2016-0033 ROW # 11500423 Tax # 023 508 1213
TCAD ✓

Section 1: Applicant Statement

Street Address: 1205 Richcreek Rd.

Subdivision Legal Description:

Lot(s): 32

Block(s): L

Outlot: _____

Division: Crestview Addition Section 7

Zoning District: SF-3-NP

I/We Maureen McCormack on behalf of myself/ourselves as
authorized agent for _____ affirm that on
Month February, Day 17, Year 2016, hereby apply for a hearing before the
Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☒ Maintain ☐ Other: _____

Type of Structure: carport

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

Section 25-2-476 Special Exceptions for a carport built more than 10 years ago.

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Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

The carport was built in February 2005. A copy of a painting bid dated October 2005 and a 2006 aerial photo are attached as supporting documents.

Special Exception

Hardship

a) The hardship for which the variance is requested is unique to the property in that:

Special Exception

b) The hardship is not general to the area in which the property is located because:

Special Exception

Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature: Maureen McCormack Date: 02/17/2016

Applicant Name (typed or printed): Maureen McCormack

Applicant Mailing Address: 1205 Richcreek Rd.

City: Austin State: TX Zip: 78757

Phone (will be public information): (512) 467-8172

Email (optional – will be public information): _____

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature: Maureen McCormack Date: 02/17/2016

Owner Name (typed or printed): Maureen McCormack

Owner Mailing Address: 1205 Richcreek Rd.

City: Austin State: TX Zip: 78757

Phone (will be public information): (512) 467-8172

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

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25-2-476 SPECIAL EXCEPTIONS.

(A) The Board of Adjustment shall grant a special exception for an existing residential structure, or portion of an existing structure, that violates a setback required under Chapter 25-2 (Zoning) if the board finds that the special exception meets the requirements of this section.

(B) The Board shall grant a special exception under Subsection (A) of this section if:

- (1) the residential use for which the special exception is sought is allowed in an SF-3 or more restrictive zoning district;
 - (2) the building official performs an inspection and determines that the violation does not pose a hazard to life, health, or public safety; and
 - (3) the Board finds that:
 - (a) the violation has existed for:
 - (i) at least 25 years; or
 - (ii) at least 10 years, if the application for a special exception is submitted on or before June 6, 2016;
 - (b) the use is a permitted use or a nonconforming use;
 - (c) the structure does not share a lot with more than one other primary residence; and
 - (d) granting a special exception would not:
 - (i) alter the character of the area;
 - (ii) impair the use of adjacent property that is developed in compliance with city code;
- or
- (iii) grant a special privilege that is inconsistent with other properties in the area or in the district in which the property is located.

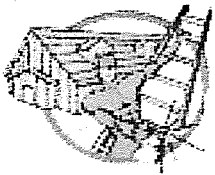
(C) A special exception granted under this section:

- (1) applies only to the structure, or portion of a structure, for which the special exception was granted and does not run with the land;
- (2) may not authorize an increase in the degree of noncompliance or excuse compliance with minimum health and safety requirements; and
- (3) may not authorize a remodel or addition to the existing structure, except to the extent required by the building official to meet minimum life and safety requirements.

(D) A structure granted a special exception under this section shall be treated as a non-complying structure under Chapter 25-2, Article 8 (Noncomplying Structures).

Source: Ord. 20110526-098; Ord. 20121108-091; Ord. 20130822-126.

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CENTURY PAINTING & ROOFING

10403 TWEEDSMUIR DRIVE
AUSTIN TX, 78750
OFFICE 219-0342
FAX 219-0840
www.centurypainting.net

PROPOSAL

DATE: October 12, 2005

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FOR:

First Name: Maureen Last Name: McCormick
Address: 1205 Richcreek Rd.
City: Austin State: TX Zip: 78757

Phone: 467-8172
Estimated By: KIP
Start Date:
Job Phone: SAME
Location: SAME

TERMS: FULL PAYMENT DUE UPON COMPLETION

MEMBER: BETTER BUSINESS BUREAU. REFERENCES AVAILABLE UPON REQUEST.

DESCRIPTION

On the front side of the home replace the left and right hand 1x4 trim boards on the far left and far right window, also on the same windows replace the windowsills. On the left hand and right side of the home replace the rotten water table (both sides majority is rotten). On the front left hand corner of the home replace 2 pieces of rotten fascia and fascia trim (left side is 1x6, front side is 2x6). Replace rotten 1x4 trim boards and windowsills on 2 windows on the left and 1 window on the right. On the right side replace rotten quarter round trim under windowsill. On the right side of the home towards the back splice in 1 piece of rotten 1x6 fascia (8ft) and replace 2 rafter tails.

Power wash home (including carport on the left) with bleach and Jomax cleaning mixture to remove dirt, mildew, algae and other debris. Hammer in loose wood and replace loose nails. Re-caulk around previously caulked windows, doors, joints, seams and corner boards using 45 year siliconized caulk. Cover all shrubs, decking and windows as needed while painting to prevent over spray. Scrape, lightly sand and spot prime all areas with peeling paint. Spot prime all rusting surfaces with red oxide primer. Prime raw wood on the carport on the left side of the home. Paint all siding, eaves, trim, and carport (patio cover and detached garage is not included) using 1 coat of Kelly-Moore premium exterior low-sheen to match existing scheme and be similar to existing colors. If colors picked by homeowner require additional coats for proper coverage, additional charges will apply. All rough surfaces to be sprayed and back brushed. Clean up job site upon completion and haul off all debris. Leave touch up paint upon completion.

Price includes all labor and material unless otherwise noted above

THREE YEAR WARRANTY AGAINST PEELING, CHALKING, AND UNEVEN
FADING, ON MOST WOOD AND COMPOSITE WOOD SURFACES
SEE BELOW FOR EXCEPTIONS

SUB-TOTAL	\$2,300.00
DISCOUNT	\$100.00
TOTAL	\$2,200.00

ANY ALTERATION OR DEVIATION FROM ABOVE SPECIFICATIONS INVOLVING EXTRA COSTS, INCLUDING REPLACING ROTTEN WOOD WHICH IS FOUND AT A LATER DATE, WILL BE EXECUTED ONLY UPON CUSTOMER AUTHORIZATION, AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE THE ESTIMATE. WARRANTY IS NOT VALID FOR ANY METAL, STEEL, STAINED DOORS, SEALED DECKS, RAILINGS OR WHEN PAINTING OVER OIL BASE ENAMELS. CENTURY IS NOT RESPONSIBLE FOR WATER STAINS ON WINDOWS AFTER HOUSE WASHING, OR ACOUSTIC TEXTURE WHICH MAY FALL WHILE PAINTING OVER ACOUSTIC CEILINGS, REPAIRS WILL BE AN ADDITIONAL CHARGE.

ACCEPTANCE OF PROPOSAL

THE ABOVE PRICES, SPECIFICATIONS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED, YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENTS WILL BE MADE AS OUTLINED ABOVE.

SIGNATURE _____
SIGNATURE _____
DATE _____

RESPECTFULLY SUBMITTED _____ CENTURY PAINTING

2006 Aerial

CITY OF AUSTIN DEVELOPMENT WEB MAP

1205 Rio Creek
2006 Aerial



Legend

Lot Lines

Streets

Building Footprints

Named Creeks

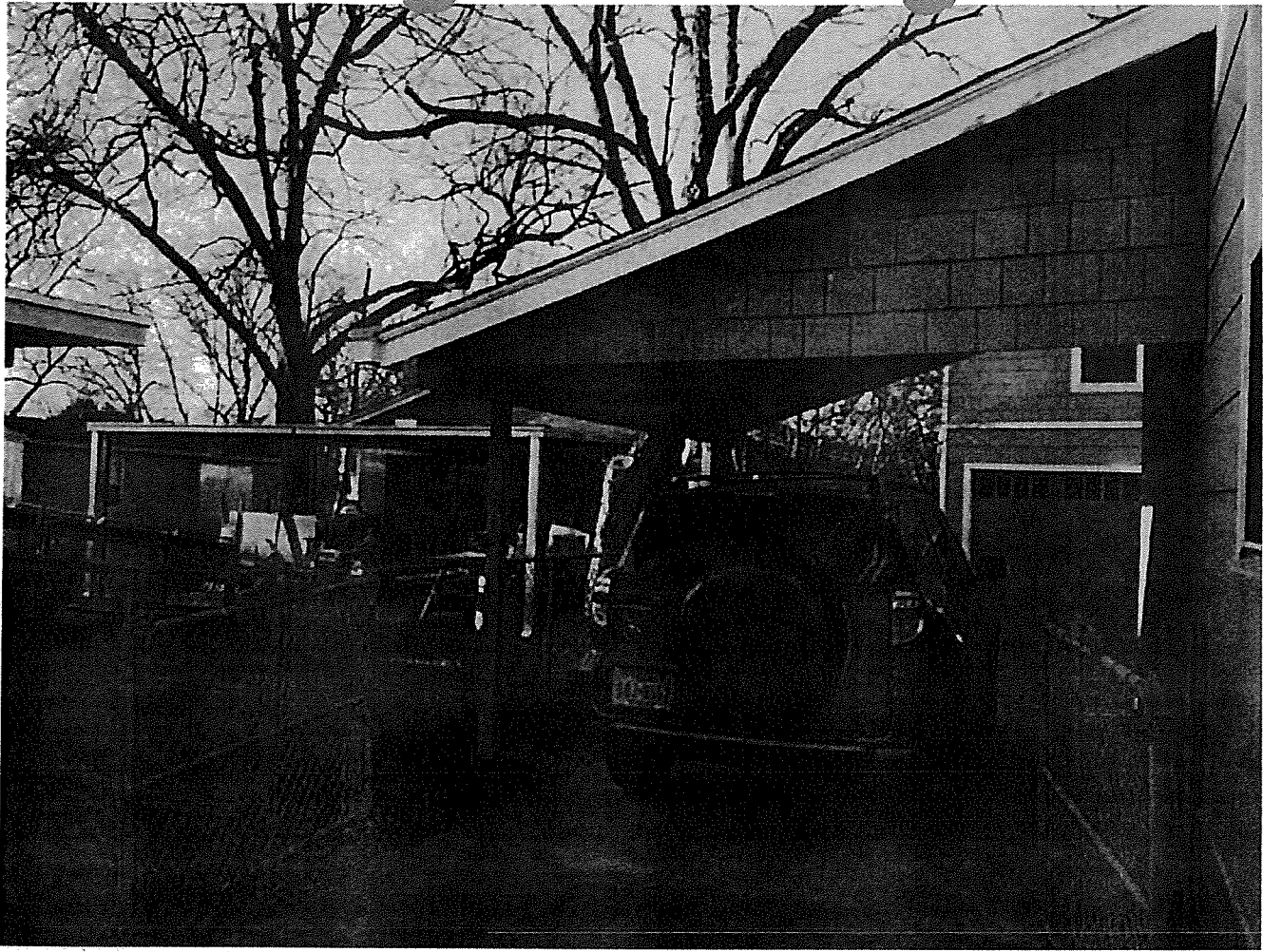
Lakes and Rivers

Parks

County

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1205 Richcreek Rd.

